IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

CHARLES SHAFFER,

Plaintiff,

VS.

Case No. 3:12cv185

LIBERTY LIFE ASSURANCE COMPANY OF BOSTON,

JUDGE WALTER HERBERT RICE

Defendant.

PRELIMINARY PRETRIAL CONFERENCE/SCHEDULING CONFERENCE ORDER OF AUGUST 21, 2012

This being a matter brought under the ERISA statute, the matter will be decided on the record, without the need for discovery. Should either party wish to file a motion for leave to conduct limited discovery, said motion must be filed not later than September 17, 2012.

The agreed upon administrative record will be filed, <u>under seal</u>, not later than the close of business on November 15, 2012.

Cross motions for judgment on the administrative record must be filed in simultaneous fashion between the hours of 12:00 p.m. and 4:00 p.m. on Monday, December 17, 2012, with simultaneous reply memoranda to be filed, between the hours of 12:00 p.m. and 4:00 p.m. on Monday, January 14, 2013.

The matter will then be taken under advisement and a decision rendered as shortly thereafter as is practicable.

September 10, 2012

WALTER HERBERT RICE UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record Melissa Stidham, United States Probation Officer United States Marshals Service